

The Regular Meeting of the  
Brian Head Town Council  
Town Hall - 56 North Highway 143  
Brian Head, UT 84719  
**TUESDAY, MAY 24, 2016 @ 1:00 PM**

**Roll Call.**

**Members Present:** Mayor H.C. Deutschlander, Council Member Larry Freeberg, Council Member Clayton Calloway, Council Member Reece Wilson, Council Member David Bourne.

**Staff Present:** Bret Howser, Nancy Leigh, Cecilia Johnson, Wendy Dowland

**A. CALL TO ORDER**

Mayor Deutschlander called the regular meeting of the Brian Head Town Council to order at 1:00 for May 24, 2016.

**B. PLEDGE OF ALLEGIANCE**

Mayor Deutschlander led the Council and others in the Pledge of Allegiance.

**C. DISCLOSURES**

There were no conflicts of interest with today's agenda items. Mayor Deutschlander stated that the disclosure statements are on file at the Town Clerk's office and are available for public inspection during normal business hours.

**D. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items**

**Tom Gurr, Public Works**

1. The crews are currently working in Dry Canyon on the water system by removing tree roots and gravel from the retention area. The gravel will be used on the town roads this summer.
2. The crack sealing of the town roads will begin on Monday, May 31, 2016.
3. The bid opening for the Ridge View Street project is scheduled to begin May 26, 2016.
4. Mag chloride will be laid down on the town roads on June 7, 2016.

**Bret Howser, Town Manager**

1. Attended the Iron County Coordinating Committee (ICCC) last week and the committee has adopted a new set of Bylaws and are available for review. Bret reported one item of discussion was identifying a backup representative for the ICCC meeting. Currently all of the Mayors are representatives for their municipalities, but they would like to have a backup representative present if the Mayor is unavailable to attend the meeting.
2. The transportation tax was discussed at the ICCC meeting and it was mentioned that the County worked out a way to change the distribution of the sales tax so that Cedar City's CAT transit system would not receive an excessive amount and that some of the tax would go back to the cities and towns.

**E. APPROVAL OF THE MINUTES: May 10, 2016 Town Council Meeting**

**Motion:** Council Member Calloway moved to approve the May 10, 2016 Town Council minutes with corrections. Council Member Bourne seconded the motion.



1 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Council Member Bourne, Council  
2 Member Calloway, Council Member Freeberg, Council Member Wilson, Mayor  
3 Deutschlander).  
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7 **F. AGENDA ITEMS:**  
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9 **1. FLAP GRANT, Trail between Brian Head and Cedar Breaks National Monument.** A  
10 presentation from Paul Roelandt, Cedar Breaks National Monument Superintendent on a FLAP grant for a trail  
11 between Brian Head and Cedar Breaks National Monument.  
12

13 Mayor Deutschlander introduced Paul Roelandt, Cedar Breaks National Monument Superintendent who  
14 will present information on a FLAP grant for funding a non-motorized trail from Brian Head to Cedar  
15 Breaks National Monument.  
16

17 Mr. Roelandt gave a brief update on highway 148 going through Cedar Breaks National Monument  
18 (CBNM) in which the road will be open on Friday, May 27, 2016. Paul reported the monument will have  
19 additional staff this year along with more star parties on most Saturdays. The campground in Cedar  
20 Breaks will be opening the first or second week in June and the monument is anticipating a good year.  
21

22 Mr. Roelandt explained the park experiences 739,000 visitors annually and does not include those  
23 driving through the park. There are approximately 158,000 winter visitors who either snowmobile or  
24 cross country ski in the park. Mr. Roelandt went on to explain the park is not as highly developed as  
25 other National Parks and their goal is to protect the park and its resources and realized the need to  
26 make additional investments to the park is necessary. Some projects identified are a larger visitor center  
27 which will host a multi-use facility and more law enforcement presence in the park area. Mr. Roelandt  
28 reported they anticipate having year round facilities, but will close highway 143 during the winter season.  
29

30 Mr. Roelandt presented a power point presentation (see attached) regarding the FLAP grant that the  
31 town would need to submit for grant funding for a non-motorized trail from Brian Head to Cedar Breaks  
32 National Monument. Mr. Roelandt explained the town would be the entity required to submit the grant  
33 since it's federal funds, the Forest Service nor Cedar Breaks Monument can't submit the application but  
34 will work with the town on the project. The project is expected to take a couple of years to complete and  
35 will be an ADA accessible trail and would be a benefit to Brian Head and Cedar Breaks. The Forest  
36 Service is also participating with this project for the trails that are on Forest Service property.  
37

38 The Council held discussion on the following:

- 39 1. The project is anticipated at a cost of five million dollars and would take a couple of years to  
40 complete.
- 41 2. The Forest Service and Cedar Breaks Monument will work in conjunction with the town on the  
42 submission of the application and the project itself.
- 43 3. There would need to be some type of maintenance requirements established since the trail  
44 would be considered Brian Head's trail.
- 45 4. A match of 6.67% is required and for a four million dollar grant, the cost would be approximately  
46 \$280,000 that the town would need to commit to. Federal funds could not be used for a match.  
47 Cash is preferred, but the town could also in kind labor and services towards the match.
- 48 5. Some estimates typically cost one million dollars per mile and the length of the trail is  
49 approximately six to seven miles if the trails go to the campground in Cedar Breaks.
- 50 6. The application is due June 10<sup>th</sup> and further meetings are scheduled to coordinate the  
51 submission of the application.
- 52 7. Mayor Deutschlander inquired if developing the Bearflat campground could be incorporated into  
53 the project. Mr. Roelandt responded the project is a transportation project and does not believe  
54 the campground would fall into this category.
- 55 8. Council Member Freeberg commented he would like to see the ATV trail established on the  
56 south side of Brian Head.



- 1 9. Mr. Roelandt stated he would like to have a discussion with the Governor's office on Economic  
2 Development on their waypoint grant which also funds trails and whether it could be a match for  
3 the FLAP grant.  
4 10. Council Member Freeberg suggested the town start committing 25% of the surplus towards this  
5 project.  
6 11. Mr. Roelandt explained they can also go after alternative transportation funding if there is a  
7 shuttle system already in place and could work into the trail project which would help get the  
8 town additional funding for transportation in the future.  
9 12. The town would need to have the matching funds in the next two years.  
10 13. Bret explained the maximum the town would have to contribute is \$200,000 and the rest would  
11 be from other agencies. The town could use Redevelopment funds towards this project and if  
12 the county assesses the proposed transportation tax, those funds could be used for this project  
13 also.  
14 14. The trail would be identified as Brian Head's trail, but the town could enter into inter-local  
15 agreements with the Forest Service and Cedar Breaks for maintenance of the trail.  
16

17 **Consensus of the Council:** In support of the FLAP grant project and directed staff to proceed with the  
18 submission of the application.  
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21 **2. PUBLIC HEARING: FISCAL YEAR 2017 BUDGET.** A public hearing on the proposed fiscal year  
22 2017 budgets for the Town, MBA, SSD, RDA..  
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- 25 **Motion:** Council Member Calloway moved to recess the regular meeting of the Town Council  
26 and open the public hearing for the purpose of receiving public comment on the fiscal  
27 year 2017 budgets for the town, Special Service District, Redevelopment Agency and  
28 Municipal Building Authority. Council Member Wilson seconded the motion.  
29 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Council Member Bourne, Council  
30 Member Calloway, Council Member Freeberg, Council Member Wilson, Mayor  
31 Deutschlander).  
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33 The regular meeting of the Town Council was recessed at 1:20 pm.  
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35 No comments were submitted.  
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- 38 **Motion:** Council Member Calloway moved to close the public hearing and reconvene the regular  
39 meeting of the Town Council. Council Member Bourne seconded the motion.  
40 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Council Member Bourne, Council  
41 Member Calloway, Council Member Freeberg, Council Member Wilson, Mayor  
42 Deutschlander).  
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44 The regular meeting of the Town Council was reconvened at 1:21 pm.  
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47 **3. CONSOLIDATED FEE SCHEDULE RESOLUTION.** A resolution adopting the Consolidated Fee  
48 Schedule (a schedule of all town fees) with an effective date of July 1, 2016.  
49

50 Bret Howser, Town Manager, presented a draft resolution adopting the Consolidated Fee Schedule (see  
51 attached). Bret explained the fee schedule was discussed during the budget work session in which  
52 Council directed staff to identify a two percent (2%) increase to the utilities. Staff has identified a \$2.00  
53 increase in the sewer which is less than the two percent the Council identified since sewer is based on  
54 60% of the water fee.  
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1 Bret gave a brief history of the issues the water fund has experienced in which the town decreased the  
2 sewer and solid waste rates and increased the water rates in an effort to remain revenue neutral. The  
3 sewer fund needs to increase along with the solid waste fund and by identifying small increases in the  
4 utility rates the funds will begin to stabilize.

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6 The other change to the Consolidated Fee Schedule is the ½ eru was put back into the schedule. This  
7 is for the hotel rooms and was the direction of the Council.

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9 Council held discussion on the following:

- 10 1. Council Member Calloway commented the ½ eru identifies that a room could have a 13 cubic  
11 foot refrigerator and would recommend a change to a five cubic foot refrigerator since he  
12 believes it is the town's intent to have a small refrigerator for single night rentals.
- 13 2. Wendy Dowland, Public Works Assistant, commented she has had several condominium owners  
14 who are requesting the ½ eru rate and asked the Council to identify a process on how the unit  
15 would be verified for the ½ eru.
- 16 3. Discussion took place regarding potential language to identify qualification for a ½ eru, such as a  
17 single bowl sink, and single burner stovetop, microwave and the five cubic foot refrigerator would  
18 qualify for ½ eru rates.
- 19 4. It was the consensus of the Council to change the language in the qualification for a ½ eru that a  
20 five cubic foot refrigerator would be identified and if the condo owner feels they are qualified they  
21 would need to prove to the Homeowners Association who would then put the request to the town  
22 for a reduction in the fee. The HOA would be responsible for reducing the condo owner's utility  
23 bill.
- 24 5. Council Member Calloway inquired if the building permit and inspection fees should be  
25 eliminated from the fee schedule since the town contracts through the county for building  
26 inspection. Staff will review the fee schedule as it pertains to the council and bring it back to the  
27 Council for approval in a future meeting.
- 28 6. Council Member Freeberg inquired as to the rental fees for the public safety building and why  
29 they are not consistent with the rental fees for the town hall. Staff will review the fees and verify  
30 with Council.

31  
32 Staff will complete the following and bring back to Council with a revised Consolidated Fee Schedule for  
33 Council's review and approval:

- 34 1. ½ eru will identify a five cubic foot refrigerator instead of the thirteen cubic foot refrigerator  
35 currently identified in the fee schedule.
- 36 2. Condo owners wishing to qualify for the ½ eru will submit their request to their Homeowners  
37 Association who will confirm and submit the request to the town for the reduction in fee and it will  
38 be the Homeowner Association responsibility to bill the condo owner the ½ eru rate. The town  
39 will continue to bill the Homeowners Association for utilities.
- 40 3. Staff will review the fee schedule on the building permits and inspections as it pertains to the  
41 contracting with the county on building inspections.
- 42 4. Staff will review the public safety building rental fees to ensure consistency in fees between the  
43 town hall and public safety building.
- 44 5. Staff will present a revised Consolidated Fee Schedule with the above changes for Council's  
45 approval at a later date.

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47 **Motion:** Council Member Calloway moved to adopt Resolution No. 456, a resolution adopting the  
48 Consolidated Fee Schedule with two changes: an increase of \$2.00 to the sewer rates and  
49 the change in language for ½ eru to add a five cubic foot refrigerator and eliminate the  
50 thirteen cubic foot refrigerator. Council Member Wilson seconded the motion.

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52 **Action:** **Motion carried 4-1-0 (summary: Yes = 4, No = 1, Abstain = 0 Vote: Yes:** Council Member  
53 Calloway, Council Member Freeberg, Council Member Wilson, Mayor Deutschlander. **No:**  
54 Council Member Bourne).



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2 **G. ADJOURNMENT**  
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4 **Motion:** Council Member Calloway moved to adjourn the regular meeting of the Brian Head  
5 Town Council for May 24, 2016. Council Member Freeberg seconded the motion.

6 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Council Member Bourne, Council  
7 Member Calloway, Council Member Freeberg, Council Member Wilson, Mayor  
8 Deutschlander).  
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11 The regular meeting of the Brian Head Town Council was adjourned at 3:07 pm. for May 24, 2016.  
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13

14 June 14, 2016

15 Date Approved  
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Nancy Leigh, Town Clerk

